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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,714	02/05/2002	Haim Ben-Ari	UTL 00123	1951

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Kyocera Wireless Corp.
Attn: Patent Department
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San Diego, CA 92192-8289

EXAMINER

KIM, WESLEY LEO

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/072,714	Applicant(s) BEN-ARI, HAIM	
	Examiner Wesley L. Kim	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 6-8, 10-12 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 6-8, 10-12 and 17-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action is in response to Amendment filed 10/24/06.

- Claim 1 is currently amended.
- Claims 2, 4-5, 9, and 13-16 are cancelled.
- Claims 1, 3, 6-8, 10-12, 17-28 are pending in the current Office Action.

Response to Arguments

Applicant's arguments with respect to claims 1 and 11 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 1/22/07 have been fully considered but they are not persuasive.

- Applicant argues that Ghaem does not teach determining a relationship between the magnetic bearing and reference axis 21.

The examiner respectfully points that the text cited in the action is in support of determining a relation between the magnetic bearing and reference axis 18. (See rejection of Claim 12 which deals with the limitation of "the reference axis and the screen axis always pointing in the same direction"). Nowhere in claim 12 does the examiner state that the reference axis is axis 21. The reference axis is axis 18. To the examiner a reference axis and screen axis are the same axis pointing in the same direction, the only difference is that a screen axis is a marking on the housing of the device and a reference axis is computer-generated indication.

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- Applicant argues that Ghaem and Amro are silent on aligning a reference axis with a screen axis so that the reference axis and screen axis always point in the same direction.

The examiner respectfully disagrees. Amro cures Ghaem's deficiencies. Amro teaches that there is an arrow (i.e. reference axis) which always points in the direction of travel (Col.4;21-25, the arrow doesn't have to be there but it doesn't say that the arrow cannot be displayed) and is aligned with the screen axis (a screen axis as taught in Ghaem is a notch on the housing or even the rectangular shape (i.e. the vertical and horizontal lines making up the rectangle shape) of the display can be a screen axis Col.3;43-49). To the examiner a reference axis and screen axis are the same axis pointing in the same direction, the only difference is that a screen axis is a marking on the housing of the device and a reference axis is computer-generated indication.

- Applicant argues that Amro does not teach anything that would lead to a screen axis and a reference axis always being pointed in the same direction.

The examiner respectfully disagrees. A screen axis as taught in Ghaem is a notch on the housing or even the rectangular shape (i.e. the vertical and horizontal lines making up the rectangle shape) of the display can be a screen axis (Col.3;43-49) and there is also an additional reference axis on the display (Col.4;21-25, arrow).

- Applicant argues that neither Amro nor Ghaem would desire allowing a user to see in what direction they are heading on a map.

The examiner respectfully disagrees. Ghaem teaches allowing a user to see which direction they are heading in (Col.6:43-38) on a map (Amro teaches a map Fig.4, the map displays locations of vehicles but nevertheless it is a map of the vehicles in the surrounding area).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1, 3, 6-8, 10-12, 17-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being vague and indefinite since it is not clear based on the claim language how a reference axis is different from a screen axis. It seems that two names, a screen axis and reference axis, have been given to a single component. It is very confusing how they are distinct from one another.

Remaining claims are rejected under 35 U.S.C. 112, second paragraph since they are dependent upon the rejected claims 1 and 12.

The examiner will examine the claims with the broadest reasonable interpretation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 3, 12, and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghaem et al (U.S. Patent 5146231) in view of Amro et al (U.S. Patent 6292747 B1).

Regarding Claims 1 and 12, Ghaem teaches a user interface screen having a surface with a screen axis defined with respect to the surface (Col.3;43-48); a magnetic detection circuit configured to determine magnetic bearing; and a direction circuit configured to (Col.6;41-48, bearing of the device must obviously be determined to determine the orientation): determine a relationship between the magnetic bearing (i.e. north) and a reference axis (major axis 18)(Col.6;41-48, angle A), determine a direction of the reference axis based on the relationship between the magnetic bearing and the reference axis (Col.5;12-14); and wherein the user interface screen displays the direction of the reference axis (Col.5;12-14), however **Ghaem does not expressly teach** the reference axis is aligned with the screen axis so that the reference axis always points in the same direction as the screen axis.

Amro teaches of a communication device 101 with a display that indicates an arrow adjacent to the vehicle which points in the direction of travel of the vehicle (Col.4;21-24, i.e. reference axis on the display which doesn't have to be there but does not say that it cannot be displayed), and the display screen is oriented such that the vehicle is always moving towards the top edge of the display (Col.4;20-26, it

is obvious that the map rotates such that the display screen is oriented such that the vehicle is always moving towards the top edge of the display) with compass points indicated at the perimeter of the display (Col.4;31-33). Ghaem teaches that a screen axis is not even really necessary because of the rectangular shape of the housing but teaches that a screen axis can be notched or printed onto the housing (Col.3;43-49). To the examiner, it is obvious that Ghaem teaches that it is well known in the art that a screen axis can be notched or printed on the screen of a navigation device and with the combination of Amro, it is obvious that a reference axis (the arrow) can be shown on the computer generated display of Ghaem which will always be aligned with the screen axis.

To one of ordinary skill in the art, it would have been obvious to modify Ghaem with Amaro, such that the reference axis is aligned with the screen axis so that the reference axis always points in the same direction as the screen axis, to provide a method where the user can see the direction that they are heading in with respect to the map.

Regarding Claim 3, it is obvious that the communication device can be rotated so that the reference axis points to magnetic north.

Regarding Claims 26 and 28, the combination as discussed above teaches all the limitations as recited in claim 1 and 12, respectively, and Ghaem further teaches the direction is displayed in degrees (Col.4;66-Col.5;4).

Regarding Claims 24-25 and 27, the combination as discussed above teaches all the limitations as recited in claims 1, 1, and 12, respectively, however the combination **is silent on** the direction is displayed in quadrants and sub-quadrants.

The examiner takes **Official Notice** that it is well known in the art that a direction can be displayed in quadrants and sub-quadrants. To one of ordinary skill in the art, it would have been obvious to modify the combination as discussed above, such that the direction is displayed in quadrants and sub-quadrants, to provide to the user a method of displaying the directions in a format that they are most comfortable with, i.e. quadrants, sub-quadrants, or degrees.

2. Claims 6-8 and 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghaem et al (U.S. Patent 5146231) and Amro et al (U.S. Patent 6292747 B1) in view of Maruyama et al (U.S. Patent 6430498 B1).

Regarding Claim 6, Ghaem and Amro teach all the limitations as recited in claim 1, and Ghaem further teaches receiving GPS location information (Abstract;6-9), however the combination **does not expressly teach**, receiving map information; and displaying a map display responsive to the map information, showing the wireless communications device location on the map.

Maruyama teaches receiving map information (Col.1;32-37, it is known map information can be received/downloaded) and, displaying a map display responsive to the map information (Col.1;35-37, it is possible to show the users present place on a map which was received), showing the wireless communications device

location on the map (Col.1;35-37 and Col.6;57-61, the black dot represents the location of the wireless device).

To one of ordinary skill in the art, it would have been obvious to modify Ghaem and Amro with Maruyama, since they are from similar search areas, viz. presenting a direction based on the current location in a mobile electronic device, such that map information is received; and a map display responsive to the map information is displayed, and showing the wireless communications device location on the map, to provide a method of displaying to the user an image of the surroundings so that they may navigate the region towards a destination.

Regarding Claim 7, Ghaem further teaches of a screen axis 18 (Col.3;43-49) and Amro teaches rotating a map display in response to the rotation of the communication (i.e. rectangular phone, gps device) (Col.4;21-25).

Regarding Claim 8, Maruyama further teaches the direction displayed corresponds with the direction the wireless communication device is moving (Fig.1;12, Fig.1;13, and Fig.1;14, the direction displayed corresponds with the direction the wireless communication device is moving).

Regarding Claim 17, Ghaem and Amro teaches all the limitations are cited in claim 12, however the combination **does not expressly teach**, receiving map information; and displaying a map display responsive to the map information, showing the wireless communications device location on the map.

Maruyama teaches receiving map information (Col.1;32-37, it is known map information can be received/downloaded) and, displaying a map display responsive

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to the map information (Col.1;35-37, it is possible to show the users present place on a map which was received), showing the wireless communications device location on the map (Col.1;35-37 and Col.6;57-61, the black dot represents the location of the wireless device).

To one of ordinary skill in the art, it would have been obvious to modify Maruyama and Amro with Ghaem, since they are from similar search areas, viz. presenting a direction based on the current location in a mobile electronic device, such that map information is received; and a map display responsive to the map information is displayed, and showing the wireless communications device location on the map, to provide a method of displaying to the user an image of the surroundings so that they may navigate the region towards a destination.

Regarding Claim 18, See Rejection of Claim 7.

Regarding Claim 19, See Rejection of Claim 8.

Regarding Claim 20, See Claim 6 rejection.

Regarding Claim 21, Amro teaches the arrow (Col.4;20-26) on the display is a directional icon on the map.

Regarding Claim 22, See rejection of Claim 11.

Regarding Claim 23, See rejection of Claim 8.

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ghaem et al (U.S. Patent 5146231), Amro et al (U.S. Patent 6292747 B1), and Maruyama et al (U.S. Patent 6430498 B1) in further view of Irie et al (U.S. Pub 2001/0007090 A1).

Regarding Claim 10, Ghaem, Amro, and Maruyam teach all the limitations as recited in claim 8, however the combination **does not expressly teach** displaying a magnetic bearing icon on the map.

Irie teaches displaying a magnetic bearing mark (i.e. icon) of the screen axis (Fig.7;212 and Par.81,7-8, bearing mark of the map 212). To the examiner it is obvious that the vehicle is traveling north, therefore the bearing mark displays an icon pointing North (Fig.7;212). If the car were to turn (i.e. map rotates) the map would reorient itself such that the top of the display shows what is directly in front of the vehicle and so the bearing mark icon would adjust to display a bearing representative of the screen axis. Although Irie deals with displaying maps for navigation in a vehicle, it is obvious for a skilled artisan to apply the navigational aspects of Irie (i.e. navigation system is mobile) into another navigational electronic device (i.e. mobile communications device).

To one of ordinary skill in the art, it would have been obvious to modify, Ghaem, Amro, and Maruyama with Irie, such that the magnetic bearing of the screen axis is displayed, to provide the user with an idea of which direction they are moving with respect to the reference axis.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley L. Kim whose telephone number is 571-272-7867. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WLK

Wally Kim

George Eng
GEORGE ENG
SUPERVISORY PATENT EXAMINER